

RESOLUTIONS ON THE REPORT OF THE WORKING OF THE PUBLIC SERVICE RECRUITMENT RULES.

PRESIDENT: I have received in response to my rather rash promise a series of resolutions on this matter and all these will have to be discussed. What I propose to do is to get all these typed and circulated to the members of the House so that they may be discussed but in order to give the House an indication of what these resolutions contain, I shall read them.

MR. T. P. VELAYUDHAN PILLAI: This Assembly recommends to Government that steps be taken forthwith to see that all the candidates recruited to the public service under the advice given by the Public Service Commissioner, are absorbed before fresh candidates are advised to be recruited ;

MR. C. JERAMONY NADAR: This Assembly recommends to Government that:—

- (1) Communal representation be applied to all grades of Public Service.
- (2) The advising authority and the appointing authority be one and the same person.
- (3) All fresh recruitments from over-represented communities be stopped till the inadequately represented communities get their due share.
- (4) If any advisory board is to be appointed minority communities be excluded from the scope of that board or that a board consisting of a majority of members from the backward communities be appointed.
- (5) All permanent vacancies be reserved to unrepresented and inadequately represented communities for a definite period and to have a similar provision with regard to promotion also.
- (6) The word "qualification" be used instead of "efficiency test."

MR. N. JOHN JOSEPH: This Assembly recommends to Government that in the matter of recruitment to the Public Service the backward Christians belonging to all denominations be considered as a separate community and that they be recruited to the service on the basis of the total population.

MR. KAVIROOR K. K. KOCHU KUNJU: This Assembly recommends to Government that in the matter of recruitment to the Public Service the Varnava community (Pathian, Vannan, Mannan, Chayakkaran or Pandi Vannan, Ettali, Purathon, Velan, Nerian and Paravan) be considered as a separate community and that they be recruited to the service on the basis of their total population.

MR. K. P. KOCHUKORA THARAKAN: This Assembly recommends to Government:—

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- (1) That in the recruitment to the Public Service proper and sufficient safeguard be made to ensure the candidates chosen for recruitment state their respective community truly and correctly.
- (2) That in recruitment to Public Service candidates from unrepresented or inadequately represented taluks be given preference to those from well represented taluks in the State.

MR. V. KUNJUKRISHNAN : This Assembly recommends to Government that communal rotation in public service may be maintained in the matter of confirmation also.

PRESIDENT : I think that all the honourable members have given their resolutions. I also find that there is a printed resolution to be moved by Mr. Kainikkara Padmanabha Pillai. Has that been circulated?

MR. KAINIKKARA M. PADMANABHA PILLAI : It has been circulated.

PRESIDENT : You may move your resolution, Mr. Padmanabha Pillai.

MR. KAINIKKARA M. PADMANABHA PILLAI : Sir,.....

PRESIDENT : I hope that in the course of your observations you will make clear the scope and ambit of the discussion.

MR. KAINIKKARA M. PADMANABHA PILLAI : I beg your permission to move the following resolutions :—

“This Assembly recommends to Government that the following changes may be effected in the Travancore Public Service Recruitment Rules :—

1. Public Service may be defined as in the T. S. R. Manual with the following alterations :
 - (a) The employment as Munsiffs and employment in grant-in-aid Pharmacies and Vaidyasalas should be included in Public Service.
 - (b) Appointments in the University and the institutions under it should be excluded.
 - (c) Employment in state aided schools should be excluded from Public Service provided however that in future when sanctioning new schools preference must be given to applications from communities having fewer schools.
2. These rules apply to initial recruitments only and not to promotions.
3. Public Service may be divided into :—
 - (a) Higher Division.
 - (b) Lower Division.
 - i. Inferior Service as defined in the Travancore Service Regulations.
 - ii. Superior Service.
 - (1) Ministerial.
 - (2) Executive.

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The Higher Division comprises all appointments of which the actual initial salaries, exclusive of all allowance, at the time when any recruitment thereto is made, are Rs. 150 or more per mensem.

The Lower Division comprises all appointments of which the actual initial salaries, exclusive of all allowances, at the time when any recruitment there to is made are less than Rs. 150 per mensem.

4. Efficiency shall be the main consideration in recruitments to the Higher Division of the Public Service. Recruitment to appointments included in the civil service cadre shall be made on the results of T. C. S. examinations. For recruitments to other appointments in the said Division the candidate must possess at least the minimum qualifications prescribed in schedule I A Travancore Service Recruitment Manual and when there are more than one candidate with the minimum qualification the best qualified candidate must be chosen.

Provided however that in the case of direct recruitment in the Munsiff's grade the communal rotation prescribed in respect of the Lower Division shall be applicable.

5. Recruitment to inferior service and to the ministerial and executive branches of the superior service respectively in the Lower Division of Public Service shall be made by rotation on the basis of the population of communities; provided that the candidates selected possess the minimum qualification prescribed.

When there are more than the required number of candidates from any particular community the best qualified among them may be chosen.

If there is no suitable candidate available from any community which should be selected in compliance with the rules the said community shall be ignored in making the said selection.

6. The minimum qualifications prescribed in schedules I B and C of the T. S. R. Manual may be accepted with the following changes:—

(a) Education.

1. Do. No. 117

Foot note Substitute "English Middle School Classes" for "English High School" and delete "High and."

2. Do. No. 118

Foot note Delete "High and" Add Training.

3. Page 78 No. 354

Delete "V. S. L. C." in the Foot-note delete "High and."

4. Page 79 No. 355.

Do.

5. No untrained hand shall be appointed as teacher.

6. An E. S. L. C. holder, to be appointed as teacher, should have obtained a minimum of 45 per cent. marks in English Malayalam and Arithmetic having a grand total of 150 marks.

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(b) *Excise* :—

Page 62, No. 170. Add "Physical fitness." Height 5' 5"
chest 32"

7. Communities, for the purposes of the above rules shall be divided into three main religious groups viz., Hindus, Christians and Muslims. Out of every 51 appointments 31 appointments shall be given to Hindus, 16 to Christians and 4 to Muslims.

8. The recruitments from these three religious groups may be made according to the following rotation :—

1. Hindu	27. Hindu
2. Hindu	28. Hindu
3. Christian	29. Christian
4. Hindu	30. Hindu
5. Hindu	31. Hindu
6. Christian	32. Christian
7. Hindu	33. Hindu
8. Hindu	34. Hindu
9. Christian	35. Christian
10. Hindu	36. Hindu
11. Hindu	37. Hindu
12. Christian	38. Christian
13. Muslim	39. Muslim
14. Hindu	40. Hindu
15. Hindu	41. Hindu
16. Christian	42. Christian
17. Hindu	43. Hindu
18. Hindu	44. Hindu
19. Christian	45. Christian
20. Hindu	46. Hindu
21. Hindu	47. Hindu
22. Christian	48. Christian
23. Hindu	49. Hindu
24. Hindu	50. Christian
25. Christian	51. Muslim
26. Muslim	

9. Hindus may be sub-divided into the following communities and each sub-section given the number of appointment noted against it :—

1. Brahmin	1
2. Nair	9
3. Ezhava	9
4. Kammala	2
5. Nadar	2
6. Vellala	1
7. Other caste Hindus	2
8. Cheramar	2
9. Kurava	1
10. Paraya	1
11. Other Hindu	1
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10. The Hindu vacancies in the rotation shown in clause 8 may be filled up in the order shown below : —

1. Cheramar	17. Paraya
2. Ezhava	18. Ezhava
3. Nair	19. Nair
4. Kurava	20. Kammala
5. Brahmin	21. Ezhava
6. Kammala	22. Nair
7. Ezhava	23. Other caste Hindu
8. Nair	24. Ezhava
9. Cheramar	25. Nair
10. Ezhava	26. Other Hindu
11. Nair	27. Ezhava
12. Vellala	28. Nair
13. Other Caste Hindu	29. Nadar
14. Ezhava	30. Ezhava
15. Nair	31. Nair
16. Nadar	

N. B.—After every two non-Malayala Brahmin one Malayala Brahmin must be appointed.

11. Christians may be sub-divided into the following communities and each sub-section given the number of appointments noted against it.

1. Syrian Catholics	5
2. Latin Catholics	4
3. Jacobites	3
4. Marthomites	1
5. S. I. U. Church	1
6. Anglicans	1
7. Other Christians	1
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12. The christian vacancies in the rotation shown in clause 8 may be filled up in the order shown below : —

1. Anglican	9. Syrian Catholic
2. Jacobite	10. Jacobite
3. Latin Catholic	11. Latin Catholic
4. Syrian Catholic	12. Syrian Catholic
5. Jacobite	13. S. I. U. Church
6. Latin Catholic	14. Marthomite
7. Syrian Catholic	15. Latin Catholic
8. Other Christians	16. Syrian Catholic

13. There shall be a Public Service Commissioner who will be an officer of high status.

14. There shall also be an advisory committee consisting of not more than six non-official members, consisting of a Nair, an Ezhava, a Backward class Hindu, a Catholic, a non-Catholic and a Muslim to advise the Commissioner."

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Sir, this resolution has been, though not exactly in this form, circulated among the members. The contents of this resolution are contained in a memorandum submitted by the National Congress Party this morning to the Government. It has been circulated among the members of this House. Therefore, I believe that the honourable members of this House are acquainted with the reasons and the principles underlying the changes suggested by this resolution.

Just before this House took up this question, my friend Mr. Padiyara Joseph Kunju raised a point for the consideration of the chair, viz., a report placed on the table, a report embodying the agreement reached between the Ezhavas and the Nayers at a Conference between some members of the Ezhava and Nayar communities. I believe it is my duty to put in a word at this juncture so that certain doubts may be cleared.

The resolution which I have read just now and placed before this House is based on the conclusions arrived at a Conference of the National Congress working committee and the members of that Party in both the Houses of the Legislature. It is contained in the Memorandum submitted to Government. There are some slight differences in certain details between the conclusions arrived at, at the Conference between the Nayers and the Ezhavas, and the decisions of the National Congress Party. Therefore, as I happen to be a member of the National Congress Party, and now the member in charge of the resolution, as well as a member of the Nair-Ezhava Conference, I think I owe myself a duty to explain to such of the members of my own party as are not Nayers or Ezhavas, how these changes have crept in. I submit, there is absolutely no inconsistency on my part. At first sight it might appear that I have been inconsistent in agreeing to the two sets of conclusions which are not entirely the same, but vary in some respects.

The National Congress Party's Memorandum is a memorandum prepared by a political party which has as its members not only the different sub-sections of the Hindu community but also Christians and Muslims; and the resolution I have just now placed before this House embodies the maximum agreement that could possibly be reached at present between the different communities and their subsections which go to form the National Congress Party. The conference between the Nayers and the Ezhavas was entirely different in nature from the National Congress Party. The attitude and the outlook with which the Ezhavas and the Nayers met at the conference was entirely different from the attitude and the outlook of the communities that form a political party like the National Congress. The Nayers might be prepared to go very far indeed in order to satisfy the legitimate aspirations of the Ezhavas for meeting them on a common platform of mutual friendship and goodwill. Certainly, there is not the same considerateness in the discussion of the National Congress Party. Therefore, the fact that some individuals might have been members of the National Congress Party and might also have taken part in the conference between the Nayers and the Ezhavas does not place the

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Conference and the National Congress on the same footing. I hope it will now be clear to my honourable friends that there is no inconsistency in my being party to two reports or documents relating to the same subject. My view-point as a Nayar in relation to the Ezhava community need not be exactly identical with my views or actions as a member of the National Congress. The latter is guided solely by the purely political consideration and policy of the Party. As members of the National Congress Party, we took stock of the different shades of opinion and struck an H. C. F. as it were and submitted it to Government in the form of a Memorandum. But when the Ezhavas and the Nayers met at the conference there was the meeting of friends or relations. I therefore submit that there has been no inconsistency or faithlessness.

MR. C. JEBAMONY NADAR (*Kalkulam cum Vilavancode*): Are there not two sets of resolutions, one by the National Congress party and the other by Nairs and Ezhavas?

MR. KAINIKKARA M. PADMANABHA PILLAI: Now, there is only one set of resolutions before the House; I was only explaining away certain misunderstandings about the apparent inconsistency in my position.

PRESIDENT: In any case, you have now moved only one set of resolutions?

MR. KAINIKKARA M. PADMANABHA PILLAI: Yes, Sir, and I am sticking to them.

MR. C. JEBAMONY NADAR: Any way, the honourable member has been a party to two sets of resolutions not entirely alike.

MR. KAINIKKARA M. PADMANABHA PILLAI: Why not, I may be a party to a hundred sets; that does not concern this House.

PRESIDENT: So far as the Chair is concerned, there is only one set of resolutions. What led to these resolutions, is for the honourable members to decide for themselves.

MR. KAINIKKARA M. PADMANABHA PILLAI: Coming to the resolution proper, the Public Service Recruitment Rules have been in force for 3 years now. We all know that there have been numberless interpellations and cut motions to show that either the Rules or their working was not to the entire satisfaction of the people. Government themselves anticipated this possibility since, even while promulgating the Rules, and they said that the Rules might work for three years and then the whole position would be reviewed. And we have that opportunity now.

From experience gained so far, from what I have learnt of public opinion in the country, I believe the Rules require changes in certain respects. The Public Service Commissioner has wound up his Report by the remark that the machinery is sound and can be worked with satisfaction. I may point out that my resolution does not ask for an overhaul of the machinery; some modifications alone are necessary.

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Sir, I believe the bulk of the criticisms has been due not to any intrinsic defect in the Rules, not even because of any defect in their working but, for one reason namely, we, the non-officials, have not been in a position to know clearly, to see clearly, how the Rules were being worked. That has been the serious handicap. When questions were put, when cut motions were moved, the Public Service Commissioner gave us answers apparently very satisfactory. The non-officials had nothing to tell him: but, although they remained silent here, they were still having doubts as to the correctness of the working of the Rules. They have no right to look into the working of the Rules, to satisfy themselves that the Rules are being worked correctly. That is the reason why I have suggested a committee of non-officials to advise the Public Service Commissioner. If that is done, much of the misgivings could be avoided.

With these words, I place the resolution for the acceptance of the House.

MR. N. RAMAKRISHNA PILALI (*Vaikom cum Kottayam*): I second the motion. I had a discussion with the learned mover of this motion and also with some other gentlemen who had taken a deep interest in this subject of communal representation in service. They had already spent a good deal of time in studying and discussing the subject before I was able to join them. From my own discussions with them it appeared to me that the conclusions arrived at by them were fair and reasonable. I have also another reason to second the motion. The proposals now put forward seem to me to afford a sound basis for further discussions to be carried on in this House. I trust we shall arrive at a satisfactory solution of the whole question of representation in service on a fuller discussion of the subject now before the House. I therefore second this motion.

MR. P. KUNJUKRISHNAN: In view of the importance of the resolution and in view of the fact that the hon'ble members of the House had not sufficient time to go into the details of it, I move that the discussion on the subject may stand adjourned to tomorrow.

PRESIDENT: I am entirely in the hands of this House as regards this matter. But there are two ways of disposing of the matter: Some hon'ble members may desire to have some more time to study the subject and get a conspectus, while others may desire to offer their views now. At the same time I do not foresee that the discussion on the subject would terminate today itself. After all, there is only one hour for the adjournment motion to start discussion. I cannot say how long it will take up the time of the House. Even assuming that the discussion on the adjournment motion terminates, discussion on the resolution might as well go on throughout the whole day and there may be other hon'ble members who might desire to participate in the discussion. If I find nobody to speak due to want of time for preparation, and the discussion comes to a termination, I shall myself exercise the right to adjourn the discussion of the motion. That being so, I do not see any point in adjourning the discussion of this resolution at this juncture.

(After ascertaining the attitude of the House, further discussion was continued.)

MR. P. KUNJUKRISHNAN: Sir, ...

PRESIDENT: Then I would suggest the hon'ble members who want more time for preparing the speeches to keep back until tomorrow. In the meantime they may have their own preliminary talks on the subject. I shall now call upon other hon'ble members who are willing to speak to continue the discussion so that the spade work might go on.

MR. VARKALA K. MADHAVAN (*Chirayinkil cum Nedumangad*): Sir I have certain suggestions to offer. The Public Service Commissioner has been rendering very useful service to the State for the last 2½ years. Let me say in the first place that the present Public Service Commissioner may continue to function as the Head of that Department for another period of 3 years. By his honesty, ability and impartiality he has earned in abundance the affection, confidence, respect and admiration of the public of Travancore and it is our sincere belief that the several minor defects noticeable in the working of the Recruitment Rules would be rectified by him in a short time. Therefore in seconding the resolution before the House I may offer a few suggestions which I consider to be important.

In the pamphlet before me I find there are certain suggestions for incorporation in the Travancore Public Service Recruitment Rules. The Leader of the National Congress Party has suggested an advisory committee to advise the Commissioner.

PRESIDENT: Nobody has made this pamphlet the basis or ground work of discussion. It has been circulated as papers are being done for the information of the hon'ble members. For instance a number of newspaper cuttings are being relied on by the members in order to help them in a particular discussion. That does not mean that it is to be made the basis of discussion. If the hon'ble members want that the document should be placed on the table of the House—it is rather an anonymous publication—it is open to them to say so. Then it will be put on the responsibility of the gentlemen who want to have it placed on the table of the House. That is the position and I would like the hon'ble members to bear it in mind.

MR. VARKALA K. MADHAVAN: It is suggested that an advisory committee consisting of not more than six non-official members from the various communities be nominated to advise the Commissioner. That means the Commissioner should be retained. The Committee will make the Commissioner the mere puppet of it and that position is not conducive to the welfare and interests of the backward communities. After all what is the present position of the Public Service Commissioner. He is only a puppet of rigid rules, the rules as embodied in the Public Service Recruitment Manual. His position is that of a judge and he is to administer the law as laid down in the Public Service Recruitment Manual as between one candidate and another and as between one community and another and that position should not be interfered with.

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Regarding the suggestion to have a Public Service Commission instead of a Commissioner I have to state that it is not acceptable. Firstly, it may not be possible to give adequate representation to all important communities in the Public Service Commission. Secondly, the impartiality of the Commission will be questioned often and often, however honest it might be.

Next I have to offer certain alterations to the existing rules in the Manual.

The position of Pakuthi Accountants and Proverthiars should be placed in the Lower Division and I do not find any special reason for including them in the Intermediate Division. The Commissioner himself, in para 23 of his report, says that this will produce greater communal equality among recruits to this branch of the service.

As regards the appointments to short vacancies we feel that it is high time for Government to repeal the G. O. numbers ROC, 5322 dated 31st December 1935 and 3487 dated 27th August 1937. The appointments made under them do not appear to be in accordance with the principle of communal rotation as laid down in schedule 3 of the T. S. R.

Again, 40 percent reservation made in the Intermediate Division for backward communities must be raised to 50 percent as those communities form more than half of the total population in the State.

Then the Public Service Commissioner should be given a voice in confirming the selected candidates. Otherwise there might be difficulties in confirming candidates consistent with seniority. I am of opinion that the department of Public Service should be made permanent as in these days an agency to recruit candidates to public Service has become indispensable in every civilised state and the defects in the working of such a system could be gradually remedied.

MR. P. KUNJUKRISHNAN: Are these suggestions going to be put to the vote of the Assembly?

PRESIDENT: Some time or other it will tend to convenience if they are put to vote. But it is not the intention now to take these different suggestions and vote them part after part. First I would like to have the opinion of the honourable members on the general scheme now placed for discussion here. It is possible that alternative proposals might be put forward by others. All that will have to be discussed and something like a bird's eye view has to be obtained. When the voting comes, a number of resolutions will be tabulated and they will be put to vote one by one. What is the member's apprehension?

MR. P. KUNJUKRISHNAN: My question is, whether clause by clause is to be put to vote?

PRESIDENT: After all the so-called pamphlet before the House contains 14 resolutions. I do not think anybody would desire either to accept it or reject it altogether. It is open to any honourable member to comment upon the ideas contained therein.

MR. P. KUNJUKRISHNAN: I may submit that it is not at all our idea to reject the resolutions entirely.

PRESIDENT: Each of the suggestions represent certain ideas. The question is whether this House approves of it. After all, we are not concerned for getting one resolution passed and another one rejected. The main point is, how is the question of recruitment to Public Services to be dealt with. I am most anxious, if possible, there should be no voting at all on that matter, but some kind of agreement arrived at in this House and for that purpose, I would give the fullest freedom of discussion and the possibility of friends meeting each other and talking about it. I should, for one, prefer that that should be in as free and easy and unconventional way as possible. If necessary, small committees could as well be formed so that there may be a fuller discussion and freer scope for the exchange of individual points of view. It is not the idea to take up these suggestions alone for voting or even to reject them entirely. The idea is to get at the maximum of agreement in this House itself before the Government takes upon themselves the ultimate responsibility of coming to conclusions with regard to the future recruitment to the public services. Because the topic is all important to many members I have chosen this method and it is not my intention to deal with it in any technical way. For instance, the different points are put to vote one by one. If the resolution, say the institution of the Public Service Department being made permanent is not carried, then there will be no Public Service Department. Again say, if the House negatives the constitution of the Advisory Committee, then no such body could be formed. Such instances can be added on. Some might want new principles to be introduced in the intermediate division. If such changes take place, the whole scope of the subject might vary. Therefore, it is not the idea to put these resolutions to vote at this stage.

MR. P. KUNJUKRISHNAN: May I know whether it is still open to send up some more set of resolutions like the one now placed before us by the members of the National Congress party?

PRESIDENT: While arguing for or against the resolutions, it is open to the member to put forward his point of view. Ultimately the Honourable member's resolution also will come up. For the purpose of debating convenience, it is better to go on with one resolution, get rid of it, and then deal with the other resolution.

MR. M. SIVATHANU PILLAI: May I know, Sir, whether one member will have chance to speak more than once?

PRESIDENT: That is why I said that this House, if necessary, may go into a Committee in which case there will not be the difficulty such as a member speaking only once, moving an amendment, seconding it, deleting a word or adding some other words. But, that is for the House to decide.

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MR. M. SIVATHANU PILLAI: Sir, I would suggest that all the resolutions may be permitted to be moved, so that the members may be in a position to understand the whole situation.

PRESIDENT: That is a good counsel. But the difficulty is that those resolutions are not all typed and copies got ready.

MR. K. KUNJU PANICKAR (*Mavelikara cum Kunnatur*): I beg to support the motion of Mr. M. Padmanabha Pillai with the following amendments:—

In Section I (a) after the words 'and Vaidyasalas' insert the words "colleges and schools."

In I (b) insert after the words 'institutions under it, the words "and the Transport Department"

In the same sentence, insert after the words "should be" the word "included" and delete the word "excluded."

Delete Sec. I (c) para entirely.

In Section 2 delete "not to promotions" and substitute "and confirmation here after without retrospective effect."

In Section 3 after the last proviso add the following proviso:—

"Appointments to the Higher Division shall be by fresh recruitments and promotions in the proportion of 1:2."

In Section 4 delete the first sentence and substitute the following provision:—

"No change need be made in the rules regarding the T. C. S. Examination. But the preferential claims of those unrepresented communities that fail to get representation through competitive examination may be considered when making nominations."

In Section 4 in the proviso, insert after the words 'shall be applicable' the words "recruitment to the cadre of Munsiffs from the service and the Bar, being in the ratio of 1:3."

In Section 6 delete the section from the words "with the following changes" up to "Chest 32."

PRESIDENT: Amendments to a resolution of this kind require certain consideration by other Honourable members. So the Honourable Member may hand over those amendments to the Secretary.

MR. K. KUNJU PANICKAR: Yes, Sir.

DR. G. D. NOKES: Sir, may I make a suggestion to deal with this matter more expeditiously. The resolution which has been moved contains a number of matters. Some of them are of an administrative character which can be more conveniently dealt with in Committee or outside the House. Some of them are matters of principle. I would suggest that it might help us in coming to definite conclusions if we could take up the parts of the resolution which deal with principle and not with details. For example, I may suggest for the consideration, paragraph 3 (Division of the Public Service into new divisions) and paragraph 5, (which proposes to apply the rotation in a new way.) Paragraphs 6 and 8 raise questions of detail which cannot conveniently

be discussed on the floor of the House. Paragraphs 13 and 14 raise definite questions of principle, whereas most of the others are questions of detail. If the mover will agree to follow this procedure, I think it will be easier to deal with the question.

PRESIDENT : What is your opinion, Mr. Padmanabha Pillai ?

MR. KAIVIKARA M. PADMANABHA PILLAI : I think the division suggested by Dr. Nokes cannot be fully accepted.

MR. K. KUNJU PANICKAR : I shall submit my amendments tomorrow. Now I shall continue my comments. In the matter of recruitment to the public service, the most important grievance of the inadequately represented communities is the thing prominent in the mind of every body who is considering the question.

MR. KOTTALIL P. ABRAHAM (*Muvattupuzha cum Devicollam*) : May I know from the member whether he is willing to reduce the original proposition to the resolution contained in the printed pamphlet ?

MR. K. KUNJU PANICKAR : That pamphlet has nothing to do with my opinion.

The present Public Service Recruitment Rules were framed with an idea of giving adequate representation to the members of the Backward communities. Some how or other we find that that object is defeated in its operation. Not only that the inadequately represented communities were not in a position to get sufficient representation, but that the very vital changes introduced by the Government, most probably, have thwarted the intention of the recruitment rules. Though the arrangement as it was contemplated at the outset by the service regulation was quite different, by a Government order, some of the important departments in which so many hands had to be entertained and which were to be under the guidance and direction of the Public Service Commissioner, were excluded from the purview of the Public Service Commissioner. For example, it is said in the Administration Report of the Public Service Department, for the year 1114, as follows :

"All appointments in the University..... The recruitment of Police Constables and of Anchal Masters or Clerks, Anchal men and runners to permanent vacancies..... excluded."

That shows that some of the most important departments, which required numerous hands to be entertained for their running, were excluded from the purview of the Public Service Recruitment Rules. Though we are not in a position now to judge the advisability of such exclusion, I beg to submit that the Government recruitment to such important departments should have been for the advantage of inadequately represented communities. I do not know whether the deviation was for the benefit of the unrepresented communities. At any rate as we find from the list that is published by the Public Service

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Department, the representation of the inadequately represented communities is not what we desired for. Much has to be done to rectify the defect. To achieve that object, I beg to submit that some definite rules should be formulated and those rules should be strictly adhered to in their operation. It is with that idea that the party to which I am a member has put forward such a resolution. Though there are some alterations proposed with reference to some details, we are unanimous with regard to the fundamental principle involved in the resolution placed before the House. That resolution is intended mainly to remove the disability of the important sections of the various communities in the State. If all the parties concerned including the Government are anxious to see that the defects in this matter are removed, I think, without much ado we can get the thing rectified. I am of opinion that much of the turmoil and trouble in the country is mainly due to the disappointment of getting sufficient appointments in the public service. Even the communal troubles that exist in the State are solely for the purpose of getting adequate number of places in Government service. If that defect is rectified and cured, then all the communities in the State will work only for the common good of the land. So, I beg to submit that in the public service, sufficient representation should be given to the inadequately represented communities who had no chance of shouldering the responsibility of the administration of the State hitherto. With these words I support the resolution with the amendments that I have put forward.

MR. P. KUNJUKRISHNAN: Sir, may I know whether the honourable mover of the resolution will agree to have the conclusions reached by the Nayar—Ezhava Conference as an amendment?

PRESIDENT: I have told the Honourable House very often that that document is not before the House now. Does the honourable member put a question to Mr. Kainikara Padmanabha Pillai?

MR. KAINIKARA M. PADMANABHA PILLAI: Sir, I am not in possession of the House. The honourable member asked me if he can move an amendment to my resolution.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI: Sir, the member was asking the mover of the resolution whether he was prepared to accept as an amendment the conclusion contained in the pamphlet.

MR. P. KUNJUKRISHNAN: Sir, I move this as an amendment.

PRESIDENT: You move this pamphlet as an amendment? (Laughter). Perhaps you move the conclusions of this pamphlet as an amendment.

MR. P. KUNJUKRISHNAN: Sir, I move the conclusions reached by the Nayar—Ezhava Conference contained in the pamphlet as an amendment to this motion.

MR. S. CHATTANATHA KARAYALAR (*Pattanamparam cum Shencotta*): Does anybody accept the responsibility for the accuracy of the conclusions?

MR. K. G. GOVINDAN (*Pattanamittita*): Sir, I support the motion. In supporting the motion I also support the amendment proposed. In doing so I wish to make another amendment regarding this motion.

PRESIDENT: Have you got a copy of the amendment? Amendments to amendment have been moved. How can this House consider unknown amendments?

MR. K. G. GOVINDAN: Sir, I had no time to prepare a copy of the amendment. According to this amendment the mover suggested that there need not be any change with regard to the existing rules of the T. C. S. Examination. Along with that he added that the claims of those communities, members of which did not get selection in the T. C. S. Examination, may be considered in making nominations. My amendment is that the claims of the inadequately represented communities alone may be considered in making nominations. My submission is that the proportion of one-third reserved for making nominations should be utilised only for the advantage of the inadequately represented communities. That should not go to those communities that are adequately represented in the public service.

Sir, I have to make a few observations also regarding the report submitted by the Public Service Commissioner. The Public Service Commissioner has said that in a few cases he was not able to put the 40 per cent. reservation provision into operation in the Intermediate Division. And by a series of calculations he has come to the conclusion that though that provision is not put into operation it has not prejudicially affected the communities less represented in public service. He has put the figure as 49 per cent. One of the reasons given by the Public Service Commissioner in not having put 40 per cent. reservation provision into operation is that there have been an over estimation of probable vacancies in the Intermediate Division. He has given a specific illustration on this point. In the estimation of probable vacancies of pakuthi Accountants during the first half of 1112 it was stated that there were 266 of such vacancies, whereas actually, up-to-date the vacancy that has arisen was only 80 and so he was not able to put into operation the 40 per cent. provision. The Commissioner seems to be under the impression that 40 per cent. provision should be put into operation only after the list as per 60 per cent. provision is exhausted. If that is the impression of the Commissioner, I submit that that view is subject to correction. The provision containing 40 per cent. reservation contained in rule 32 of the Public Service Recruitment Rules and I believe that rule 32 is based upon a specific provision in the G. O. of 1935 which reads thus: "Government therefore consider that appointments in this division will be based according to the order of merit of the candidate to be determined by a selective test provided 40 per cent. of the appointment in any event should go to the members of the inadequately represented communities."

DR. G. D. NOKES: May I know whether the member had read 32 (1) sub-sections (e) and (f)

MR. K. G. GOVINDAN: I have read, Sir.

DR. G. D. NOKES: Has the honourable member understood it?

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MR. K. G. GOVINDAN : Yes, Sir, I have understood those provisions. I may ask the learned Commissioner with reference to page 5 of the recruitment rules regarding Pakuthi Accountants whether he will be pleased to say if the inadequately represented communities in the public service are not still inadequately represented in that type of service?

DR. G. D. NOKES : I am not in a position to give just now the information required.

PRESIDENT : All the academic questions which the honourable member wishes to put to Dr. Nokes the honourable member can put them now and he can expect the answers to such questions only afterwards. Dr. Nokes cannot answer such questions straightaway.

MR. KOCHUKORA THARAKAN (*Kunnathnad cum Parur*) : ഈ പാർട്ടി
ലാറിൽ ഉള്ളകഥ മുഴുവനും റെഗുലേഷൻ അവതരിപ്പിച്ച മെമ്പർ
അംഗീകരിച്ചോ എന്നറിഞ്ഞാൽ കൊള്ളാം.

PRESIDENT : As a matter of fact, a question was put to the mover of the resolution whether he was going to accept the amendment which was moved by the honourable member Mr. P. Kunjukrishnan who said that he has moved as an amendment the substance of the conclusions in the pamphlet. That amendment has not been accepted by the mover, so far as I can see.

MR. PULIYOOR T. P. VELAYUDHAN PILLAI : Sir, nobody has seconded that amendment either.

MR. K. G. GOVINDAN : Sir, I submit that rule 32 was based upon a specific provision of the Government order and this provision does not definitely say that 40 per cent reservation principle can be put into operation only after exhausting the list as per 60 per cent. provision. According to me Sir, there was nothing in the G. O. to prevent the Commissioner to select candidates from the two lists alternatively. The public Service Commissioner could have, quite in conformity with the intentions contained in the G. O. selected the first three candidates from the first list and then the succeeding two candidates from part (2) of the list. That order could have been continued. Government ordered that 40 per cent. of the appointments, in any event, should be reserved to the members of the inadequately represented communities. That shows that the intention of Government was to protect the interest of the inadequately represented communities. That intention has not been carried out by the Public Service Commissioner especially with regard to the appointments to the Pakuthi Accountants to which special reference has been made by the Commissioner.

Sir, I would like to make a few suggestions also regarding the examinations. Certain examinations have been held viz., T. C. S. examination and selection tests. I suggest that the report of those examiners be added to the Administration Report of the department as an appendix so that that may serve as a guidance to the future candidates to those examinations.

MR. T. C. KESAVA PILLAI (*Kalkulam cum Villuvankod*) : സർ, പബ്ളിക് സർവീസ് വളരെ വിഷമിപ്പിക്കുന്ന ഒരു പ്രശ്നമാണ്. ഈ സഭയിൽത്തന്നെ വർഗ്ഗീയമായും മറ്റും പല വാദപ്രതിവാദങ്ങളും ഉണ്ടായിട്ടുണ്ട്. അതിന്റെ ഫലമായി ഒരു പബ്ളിക് സർവീസ് കമ്മീഷണരെ നിയമിക്കുകയും അദ്ദേഹം അശ്രാന്തം പ്രവർത്തിച്ചുവരികയും ചെയ്യുന്നു. അദ്ദേഹത്തിന്റെ പ്രവർത്തിയെ എന്റെ ചില മുൻഗാമികൾ അഭിനന്ദിക്കുകയും ഇനിയും കുറേക്കാലത്തേക്കുകൂടി അദ്ദേഹത്തെത്തന്നെ വച്ചുകാണിരിക്കുന്നമെന്ന് നിർദ്ദേശിക്കുകയും ചെയ്തു. ഓരോ നിറം മാറുന്നതു പോലെ ഇവിടെ ഉദ്യോഗത്തിനായി ചിലർ വർഗ്ഗവും മതവും മാറുന്നുണ്ട്. ഈ സംഗതിയിൽ വേണ്ടപോലെ ശ്രദ്ധിക്കാത്ത മി. നോക്സിനെപ്പറ്റിയുള്ള സ്തുതി വെറും മുഖസ്തുതിമാത്രമാണ്. അദ്ദേഹം യഥാർത്ഥത്തിൽ സമത്വനായിരുന്നാൽ ഇതുമാതിരിയുള്ള പ്രമേയങ്ങളൊന്നും ഇവിടെ വരേണ്ട ഒരു പശ്യം ഉണ്ടാവുകയില്ലായിരുന്നു. അച്ചിലിട്ടു വാർത്തുകൊടുക്കുന്ന ഒരു സാഗതായല്ല ഇവിടത്തെ ഉദ്യോഗവിതരണം. അഞ്ചടി കിളമില്ലാത്ത ആളിനെ പട്ടാളത്തിൽ എടുക്കുകയില്ല. അതുപോലെതന്നെ കണക്കെഴുതാൻ പശമില്ലാത്ത ഒരാളിനെ അക്കൗണ്ടന്റീസിലെ ഉദ്യോഗസ്ഥനായി നിയമിക്കാൻ നവർത്തിയാല്ല. അതാതു ജോലിക്കു യോഗ്യതയുള്ളവരെത്തന്നെ തിരഞ്ഞെടുക്കണം. ലോഹർ ഡിവിഷനിൽ പ്രാതിനിധ്യം കുറഞ്ഞ സമുദായക്കാർക്കു തക്കതായ പ്രാതിനിധ്യം കൊടുക്കണം, എന്നു ഇവിടെ ഒരു വാദമുണ്ട്. മൂന്നില, പ്രവർത്തികാർ ഇതൊക്കെ കുടുംബപാരമ്പര്യമായിട്ടു ചിലർക്കു ലഭിച്ചുവന്നിരുന്നതാണ്. ഇതൊക്കെ പെട്ടെന്നു മാറ്റാൻ സാധിക്കുകയില്ല ഇന്ന് പ്രാതിനിധ്യം കുറവുള്ളവരുടെ പരാതിക്കു ഉടൻടി പരിഹാരമുണ്ടാക്കണമെന്നു പബ്ളിക് സർവീസ് കമ്മീഷണരോടു നിർദ്ദേശിക്കുന്നതു ശരിയായ ഒരു നയമല്ല. ഡിപ്പാർട്ടുമെന്റു മേധാവികളുമായി ആരോപിച്ച് ഈ വക സംഗതികൾ പ്രവർത്തിക്കേണ്ടതാണ്. അതുപോലെതന്നെ ഏതു ജി. ഒ. അനുസരിച്ചായാലും റിട്ടാസ് പെക്റ്ററിവ് ഇഫെക്റ്റു വച്ച് ഈ സംഗതിയിൽ പ്രവർത്തിക്കരുത്. ഒരു ഉദ്യോഗം ഒരു പ്രത്യേകജാതിക്കു കൊടുക്കണം എന്നു പറയാം. ഈ പ്രമേയങ്ങളെല്ലാം പബ്ളിക് സർവീസ് കമ്മീഷണർക്ക് അയച്ച് അദ്ദേഹത്തിന്റെ അഭിപ്രായം അറിഞ്ഞ് തീരുമാനിക്കുകയാണു വേണ്ടത് നായരീവകാൺഫറൻസിൽ വരുത്തിട്ടുള്ള തീരുമാനങ്ങളനുസരിച്ച് ഇവിടെ കൊണ്ടുവന്നിട്ടുള്ള ഈ പ്രമേയം സ്വീകരിക്കണമെന്നാണ് എന്റെ അഭിപ്രായം.

RESOLUTION ON, THE WORKING OF THE REPORT OF THE PUBLIC
SERVICE RECRUITMENT RULES.

MR. T. T. KESAVAN SASTRI (*Nominated*): സർ, പബ്ലിക് സർവീസ് പ്രാതിനിധ്യവാദം വളരെ പ്രധാനപ്പെട്ട ഒരു പ്രശ്നമാകയാൽ ഈ ഉപക്ഷേപങ്ങളെ പരാമർശിച്ചുകൂടി എനിക്കു പറയുവാനുള്ളത് പറയാൻ ഞാൻ ആഗ്രഹിക്കുന്നു. പബ്ലിക് സർവീസിൽ ഓരോ സമുദായക്കാർക്കും ലഭിക്കേണ്ട ന്യായമായ അവകാശങ്ങൾ മറയ്ക്കു് ലഭിക്കാതിരുന്നതുകൊണ്ടുതന്നെയാണ് ബഹുമാനപ്പെട്ട ഗവണ്മെന്റിൽനിന്നും ന്യായസ്ഥാനം യോഗ്യനായ ഒരു പ്രധാന ഉദ്യോഗസ്ഥന്റെ നേതൃത്വത്തിൽ ഈ വകുപ്പ് ആരംഭിച്ചത്. സർവീസ് കമ്മീഷണർക്ക് സഹായമായി ഗവണ്മെന്റ് ചെയ്തിട്ടുള്ള സമുദായവിഭജനത്തെയും മറ്റു് അംഗീകൃതനിർദ്ദേശങ്ങളേയും പിൻതുടന്നുകൊണ്ടു കമ്മീഷണർ ഇതേവരെ ചെയ്തിട്ടുള്ള നിയമനങ്ങളുടെ പട്ടിക പ്രസിദ്ധപ്പെടുത്തി കാണുന്നു. പ്രാതിനിധ്യം കുറഞ്ഞും വിദ്യാഭ്യാസത്തിലും ധനസ്ഥിതിയിലും മറ്റും പിന്നോക്കംനിന്നു അവശതയനുഭവിക്കുന്ന പുലയർ, പറയർ മുതലായ സമുദായക്കാരുടെ ഉദ്ധാരണത്തെയും പ്രോത്സാഹനത്തെയും മുൻനിർത്തി ചില പ്രത്യേക സൗജന്യങ്ങൾ സർവീസ് നിയമത്തിൽ ഉൾപ്പെടുത്തിയിട്ടുള്ളതു സ്തരണീയമാണ്. ലോവർ ഡിവിഷനിൽ നാല്പതു ശതമാനം സൗജന്യവും ഇൻറർമീഡിയറ്റ് ഡിവിഷനിൽ ൨൫ വ്യവസ്ഥയനുസരിച്ചു ഓരോ മത്സരപ്പരീക്ഷാ സൗജന്യവും സഹായമായിട്ടുണ്ട്. ഈ സൗജന്യങ്ങളും മറ്റും പരിഗണിച്ചു നടത്തിയിട്ടുള്ള നിയമനങ്ങളാണോ ഇതെന്നു സംശയിക്കുന്നു. ലോവർ ഡിവിഷനിൽ നാല്പതും ഇൻറർമീഡിയറ്റ് ഡിവിഷനിൽ ൧-ാം നിയമനമാണ് പുലയസമുദായത്തിനു ഇതേവരെ സിദ്ധിച്ചിട്ടുള്ളത്. മറ്റു സമുദായങ്ങൾക്കു ലഭിച്ചിട്ടുള്ള നിയമനങ്ങളെ പരിഗണിച്ചാൽ പുലയസമുദായത്തിന്റെ പങ്ക് തൃപ്തികരമാണെന്നു വിചാരിക്കാൻ നിവർത്തിയില്ല. സർക്കാർ സർവീസിൽ പുലയർ വളരെ പിന്നോക്കം നിൽക്കുന്ന ഒരു സമുദായമാകയാൽ അവരിൽനിന്നും വിദ്യാഭ്യാസത്തിൽ മുന്നണിയിൽ വരുന്നവർക്കുപോലും കുറെ നാളത്തേക്കെങ്കിലും കൂടുതൽ നിയമനങ്ങൾ സഭയും നൽകുകയാണു വേണ്ടത്. അതിന്നുനിവർത്തിയില്ലാത്തപക്ഷം പ്രത്യേക സൗജന്യവ്യവസ്ഥയെങ്കിലും പുണ്ണമായി അംഗീകരിക്കേണ്ടതാണ്. ഇൻറർമീഡിയറ്റ് ഡിവിഷനിലേക്കു യോഗ്യതയുള്ളവർ കുറവാകയാൽ ലോവർ ഡിവിഷനിൽ കൂടുതൽ നിയമനം നൽകാൻ വ്യവസ്ഥചെയ്യണം. പുലയർ മുതലായവരുടെ ദയനീയസ്ഥിതി അറിയാൻ പാടില്ലാത്തവർ ആരും ഉണ്ടാകാനിടയില്ല. ഗവണ്മെന്റിന്റെ ദയവേറിയ സത്പരശ്രദ്ധ ഈ വിഷയത്തിൽ പതിയാനിടയുള്ളതിനാൽ ഇതിലധികം പറയാൻ ഇപ്പോൾ ഞാനാശിക്കുന്നില്ല.

[Mr. T. T. Kesavan Sastri]

സർ, മേലാൽ ഉണ്ടാകേണ്ട നിയമനങ്ങളെ സംബന്ധിച്ചും മറ്റും നാഷനൽ കാൺഗ്രസ് പാർട്ടിയിൽനിന്നും ഗവണ്മെന്റിലേക്കു സമർപ്പിച്ചിട്ടുള്ള മെമ്മോറാണ്ടത്തെ സംബന്ധിച്ചും ഒരു രണ്ടു വാക്കുകൾ പറയാതിരിക്കാൻ നിവർത്തിയില്ല. ഇവിടത്തെ എല്ലാ സമുദായക്കാരായും താല്പര്യങ്ങളെ പരിഗണിച്ചു കൊണ്ടുള്ള നിർദ്ദേശങ്ങളാണ് ഇതിൽ കാണുന്നത്. എങ്കിലും ന്യൂനപക്ഷക്കാർക്കും അവഗണിക്കപ്പെടാത്ത നിലയിലിരിക്കുന്ന സൗജന്യങ്ങൾ വിസ്തൃതങ്ങളായിട്ടാണ് കാണുന്നത്. ഇത് ശരിയായിട്ടില്ലെന്നതന്നെ ഇവിടെ എടുത്തു പറയേണ്ടി വന്നതിൽ വ്യസനിക്കുന്നു. വ, നവ, ൪, ൧൧ ഉള്ള നായർ സമുദായത്തിനും - ൧൦൦൦, ൦൦൦, ൦൦൦ ഉള്ള ഈഴവസമുദായത്തിനും ൧൦൦൦ ഉദ്യോഗങ്ങൾ നിർദ്ദേശിച്ചിട്ടുള്ളപ്പോൾ ൨, ൦, ൦, ൦, ൦, ൦ ഉള്ള പുലയസമുദായത്തിനു രണ്ടുപ്രാവശ്യം ഉറപ്പാക്കിയിട്ടുള്ളതു. പുലയർക്കു കൂടുതൽ സൗജന്യങ്ങൾ കരണാഭ്യർത്ഥിക്കുകയും ഉണ്ടാകാതിരുന്നാൽ അവർ ഉദ്യോഗത്തിൽ മുൻപോട്ടു വരുന്നതല്ല. ഗവണ്മെന്റിന്റെ സവിശേഷമായ ശ്രദ്ധ ഇതിലും പതിയുമെന്നുള്ളതിനാൽ ഈ ഭാഗവും ഞാൻ തൽക്കാലം വിടുന്നു. സർ, സർവ്വീസ് കമ്മീഷണർ ന്യായം നടത്തുമെങ്കിലും തെറ്റിദ്ധാരണകൾ ഇന്നില്ലാതില്ല. അതിനാൽ ഈ മെമ്മോറാണ്ടത്തിൽ ശുപാർശ ചെയ്തിട്ടുള്ള അഡ്വക്കേറ്റി കമ്മറിയുടെ ആവശ്യം അപരിഹാര്യമാണ്. ചിലരും ഈ അഭിപ്രായത്തെ എതിർക്കുമെങ്കിലും നാഷനൽ കാൺഗ്രസ് പാർട്ടി ശരിയായി അറിഞ്ഞു പറയുന്ന ഈ അഭിപ്രായം ആദരണീയമാണെന്നു തന്നെ ഞാൻ തീർത്തു പറയുന്നു. ഉപഭോഗസമിതികളുടെ പ്രയോജനം വളരെ വലുതാണെന്നു ഗവണ്മെന്റിനതന്നെ ബോദ്ധ്യപ്പെട്ടിരിക്കാനായിട്ടുള്ളതു.

ADJOURNMENT MOTION RE: THE POSTPONEMENT OF THE DEBT RELIEF BILL.

PRESIDENT: Order, order. It is half past three now and the adjournment motions will be taken up. I will call upon Mr. Narayana Pillai first, then Mr. Padiyara Joseph Kunju and then Mr. Velu Pillai. The other speakers will come afterwards.

MR. M. R. NARAYANA PILLAI (Tiruvella): Sir, I beg to move the adjournment of the business of the House to discuss a matter of urgent public importance viz., the strenuous efforts on the part of the decree-holders to expedite sales of immovable and other properties and the execution of decrees of courts in view of the sudden postponement of the introduction of the Debt Relief Bill, which postponement has caused great discontent throughout the country.